562 inevitably leave the community, she can never claim any
583 authority. Thus condemned to perpetual powerlessness, a woman never has the right to any position other than an inferior one in native society. Motives based on interest or affection may modify her situation more or less to her advantage, but they will not change her basic rights, which are at the root of all disputes about women, between spouses or between communities.

II. The Community of Property

421 What is the property of which the patrimony is composed?

It is impossible to provide a detailed list, which would, in any case, be endless. Nor should we limit ourselves to the definitions of our legal system, which are too narrow. From the native point of view, patrimonial property [187] may be divided into three principal categories.

[776] First, there are the gods; the manes, or souls of the ancestral protectors of the family; and the nyana, the gods created by the magician. Some of them protect only the community, while others are also concerned with other collectivities. Finally, there are the innumerable magic weapons, which are gods of a sort. In the discussion of the duties of the fa, I spoke of these gods, and they are also mentioned in other parts of this work.

421 A second category of property is made up of the reciprocal rights of the community and its members, on the one hand,
424 and of the community and similar collectivities, on the other. I have just explained the first, and the second will be dealt with later in the chapter under the heading "Relations between Communities."

421 Finally, all the things that are particularly valued make up the third category: gold; cattle and sheep; grain; agricul-
● 422 tural, industrial, and commercial products of all kinds; dwell-
423 ings; etc. Three points related to this last category require special consideration: agrarian usufruct, conjugal usufruct, and slaves.

422 The idea of transferable property is complex in native law.
423 The distinction between movable and immovable goods is often difficult to establish; the huts of uncertain durability are easily moved, while a Fama's throne is attached to a fixed site and cannot be considered movable.

423 Land ownership poses problems still more complex. We have seen that land is never sold. The lands have a primary owner who is the spirit of the bush or a mythical ancestor, a possessor who is the first occupant having concluded a pact with the master of the soil, and, finally, a detainer who has received the land in usufruct from the possessor. The detainer is a family head, and the field he has received belongs to his community which exploits it. But after long years of working the land, the detainer tends to consider himself the owner of it, and when he leaves it during a cycle of crop rotation, it sometimes happens that the land's possessor bestows the [578] detainer's old vacant field on a newcomer, which gives birth to interminable disputes between the old and new cultivators. We have seen elsewhere how certain plots of land particularly well-placed on river banks or near huts were meticulously [74] cultivated. These tend to become veritable private property which families hand down from one generation to the next. In addition to the family fields, there exist fields reserved to certain brotherhoods, such as the n'Domo or the Gna, the members of which work the fields to meet the needs of the cult. Finally, two days each week each community member has the right to cultivate his own personal field which is outside the control of the family. These fields take on more and more importance with the development of a sense of individualism and with it a sense of individual property.

We see, then, that land may be meted out for the benefit of family, religious, or interfamily groups, or for the benefit of individuals. Although none of the parties holding the land are acknowledged as owners, they make use of it as if they were the masters and go so far as to transmit it to their heirs.

It must be noted that a special law exists to regulate the possession of trees and the gathering of their fruits, and the trees are not necessarily connected legally to the fields where they grow. Certain trees, the home of spirits, belong to a certain family, while others, such as the karite, are common property, and their fruits belong to the collectivity.